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5 General Counsel for Michael A. McConnell,
Chapter 11 Trustee

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
NORTHERN DIVISION**

In re
HVI CAT CANYON, INC.,
Debtor.

Case No. 9:19-bk-11573-MB

**TRUSTEE'S NOTICE OF SUBMISSION OF PROPOSED FORM OF ORDERS ON:
(1) MOTION FOR ORDER
AUTHORIZING THE REJECTION OF
ALL CONTRACTS AND AGREEMENTS
WITH CALIFORNIA ASPHALT
PRODUCTION, INC., FORMERLY
KNOWN AS SANTA MARIA REFINING
CO. AND GREKA REFINING
COMPANY, AND GTL1, LLC, NOT
PREVIOUSLY INCLUDED IN PRIOR
MOTION TO REJECT (DOCKET NO.
573); AND (2) MOTION FOR ORDER
AUTHORIZING THE REJECTION OF
OIL PURCHASE CONTRACTS
(CONTRACT NO. COP-003 FOR
BELRIDGE CRUDE OIL AND ALL
AMENDMENTS AND CONTRACT NO.
COP-004 FOR RICHFIELD HEAVY
CRUDE OIL AND ALL AMENDMENTS)
WITH CALIFORNIA ASPHALT
PRODUCTION, INC., FORMERLY
KNOWN AS SANTA MARIA REFINING
CO. AND GREKA REFINING COMPANY
(DOCKET NO. 586)**

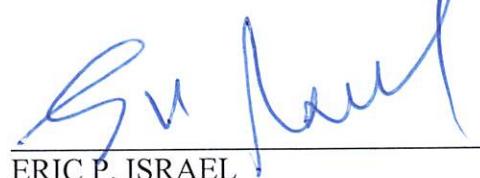
Date: December 10, 2019
Time: 11:00 a.m.
Place: Courtroom 303
21041 Burbank Blvd.
Woodland Hills, California

1 Michael A. McConnell, the Chapter 11 trustee (the "Trustee") for the estate of HVI Cat
2 Canyon, Inc. (the "Debtor"), hereby submits the proposed form of orders on:
3 (1) the Trustee's Motion for Order Authorizing the Rejection of all Contracts and
4 Agreements with California Asphalt Production, Inc., formerly known as Santa Maria Refining Co.
5 and Greka Refining Company, and GTL1, LLC, Not Previously Included in Prior Motion to Reject
6 (Docket No. 573) (*docket no. 586*). Exhibit "A"; and
7 (2) Trustee's Motion for Order Authorizing the Rejection of Oil Purchase Contracts
8 (Contract No. COP-003 for Belridge Crude Oil and All Amendments and Contract No. COP-004
9 for Richfield Heavy Crude Oil and All Amendments) with California Asphalt Production, Inc.
10 formerly known as Santa Maria Refining Co. and Greka Refining Company (*docket no. 573*).
11 Exhibit "B".

12
13 DATED: December 9, 2019

DANNING, GILL, ISRAEL & KRASNOFF, LLP

14
15 By:


ERIC P. ISRAEL
Attorneys for the Chapter 11 Trustee

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EXHIBIT “A”

1 ERIC P. ISRAEL (State Bar No. 132426)
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6 Attorneys for Michael A. McConnell,
Chapter 11 Trustee
7

8 **UNITED STATES BANKRUPTCY COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **NORTHERN DIVISION**

11 In re
12 HVI CAT CANYON, INC.,
13 Debtor.

Case No.: 9:19-bk-11573-MB

Chapter 11

13
14 **ORDER GRANTING TRUSTEE'S**
15 **MOTION FOR ORDER AUTHORIZING**
16 **THE REJECTION OF ALL CONTRACTS**
17 **AND AGREEMENTS WITH**
18 **CALIFORNIA ASPHALT PRODUCTION,**
INC., FORMERLY KNOWN AS SANTA
MARIA REFINING CO. AND GREKA
REFINING COMPANY, AND GTL1, LLC,
NOT PREVIOUSLY INCLUDED IN
PRIOR MOTION TO REJECT (DOCKET
NO. 586)

19
20 Date: December 10, 2019
Time: 11:00 a.m.
Place: Courtroom 303
21 21041 Burbank Boulevard
22 Woodland Hills, California 91367

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24 On December 10, 2019, at 11:00 a.m., there came before the Court for hearing the motion
25 (*docket no. 586*) (the "Motion") filed by Michael A. McConnell, the Chapter 11 trustee (the
26 "Trustee") for the estate of HVI Cat Canyon, Inc., for an order authorizing the rejection of certain
27 contracts with affiliates California Asphalt Production, Inc., formerly known as Santa Maria

28 **EXHIBIT A**

1 Refining Co. and Greka Refining Company (“CAP”), and GTL1, LLC (“GTL1”), not previously
2 included in the prior motion to reject (*docket no. 573*), as follows:

3 (1) CAP – Crude Oil Purchase Contract – Contract No. COP-002, and all amendments,
4 for Santa Maria Valley crude oil (collectively, the “SMV Contracts”);

5 (2) CAP – Waste Gas Handling Agreement, and all amendments, for waste gas delivery
6 (the “Waste Gas Agreement”);

7 (3) CAP – Supply Agreement, and all amendments, for hot load supply (the “Hot Load
8 Supply Agreement”);

9 (4) CAP – Amended and Restated Agreement, and all amendments; for BS&W excess
10 and cold oil (the “BS&W and Cold Crude Agreement”);

11 (5) CAP – Supply Agreement, and all amendments, for LCR (light crude) (the “LCR
12 Agreement”);

13 (6) GTL1 – Trucking Agreement.

14 Copies of the contracts with CAP were attached to the Declaration of Michael A.
15 McConnell in support of the Motion as Exhibits “2” through “8.”

16 Eric P. Israel of Danning, Gill, Israel & Krasnoff, LLP appeared on behalf of the Trustee.
17 Other appearances were as noted on the record.

18 The Court having read and considered the Motion and all papers filed in support thereof, the
19 statement of support of the Motion filed by UBS AG, London Branch (*docket no. 596*); having
20 granted the Trustee’s application to shorten time for the hearing on the Motion by order entered on
21 or about December 5, 2019 (*docket no. 590*); having found that notice of the Motion was adequate
22 and proper, and good cause appearing, it is

23 ORDERED THAT:

24 1. The Motion is granted in its entirety.

25 2. The Trustee is authorized to reject the following contracts and agreements between
26 the Debtor and CAP: the SMV Contracts, the Waste Gas Agreement, the Hot Load Supply
27 Agreement, the BS&W and Cold Crude Agreement, and the LCR Agreement, all effective as of
28 November 27, 2019.

1 3. The Trustee is authorized to reject any and all contracts and agreements between the
2 Debtor and GTL1 for transportation and equipment services, all effective as of November 27, 2019.

3 4. The agreements identified in paragraphs 2 and 3 above are deemed rejected and
4 terminated, all effective as of November 27, 2019.

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EXHIBIT “B”

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6 Attorneys for Michael A. McConnell,
Chapter 11 Trustee

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
NORTHERN DIVISION**

11 In re
12 HVI CAT CANYON, INC.,
13 Debtor.

Case No.: 9:19-bk-11573-MB

Chapter 11

**ORDER GRANTING TRUSTEE'S
MOTION FOR ORDER AUTHORIZING
THE REJECTION OF OIL PURCHASE
CONTRACTS (CONTRACT NO. COP-003
FOR BELRIDGE CRUDE OIL AND ALL
AMENDMENTS AND CONTRACT NO.
COP-004 FOR RICHLFIELD HEAVY
CRUDE OIL AND ALL AMENDMENTS)
WITH CALIFORNIA ASPHALT
PRODUCTION, INC., FORMERLY
KNOWN AS SANTA MARIA REFINING
CO. AND GREKA REFINING COMPANY
(DOCKET NO. 573)**

Date: December 10, 2019
Time: 11:00 a.m.
Place: Courtroom 303
21041 Burbank Boulevard
Woodland Hills, California 91367

24 On December 10, 2019, at 11:00 a.m., there came before the Court for hearing the motion
25 (docket no. 573) (the “Motion”) filed by Michael A. McConnell, the Chapter 11 trustee (the
26 “Trustee”) for the estate of HVI Cat Canyon, Inc. (the “Debtor”), for an order authorizing the
27 rejection of certain crude oil purchase contracts with California Asphalt Production, Inc., formerly
28 known as Santa Maria Refining Co. and Greka Refining Company, as follows: (1) Crude Oil

1 Purchase Contract – Contract No. COP-003, and all amendments, for Belridge heavy crude oil (the
2 “Belridge Contracts”); and (2) Crude Oil Purchase Contract – Contract No. COP-004, and all
3 amendments, for Richfield crude oil (Redu) (the “Richfield Contracts”). Copies of the Belridge
4 Contracts and Richfield Contracts were attached to the Declaration of Michael A. McConnell in
5 support of the Motion as Exhibits “2” and “3,” respectively.

6 Eric P. Israel of Danning, Gill, Israel & Krasnoff, LLP appeared on behalf of the Trustee.
7 Other appearances were as noted on the record.

8 The Court having read and considered the Motion and all papers filed in support thereof, the
9 Corrected Declaration of Tim Skillman in support of the Motion (*docket no. 574*), the Statement in
10 support of the Motion filed by UBS AG, London Branch (*docket no. 596*); having granted the
11 Trustee’s application for order advancing hearing the hearing on the Motion from December 20,
12 2019, at 10:30 a.m., to December 10, 2019, at 11:00 a.m.; having found that notice of the Motion
13 was adequate and proper, and good cause appearing, it is

14 ORDERED THAT:

15 1. The Motion is granted in its entirety.

16 2. The Trustee is authorized to reject the Belridge Contacts, and the Belridge Contracts
17 are deemed rejected and terminated, all effective as of November 27, 2019.

18 3. The Trustee is authorized to reject the Richfield Contracts, and the Richfield
19 Contracts are deemed rejected and terminated, all effective as of November 27, 2019.

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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 1901 Avenue of the Stars, Suite 450, Los Angeles, CA 90067-6006.

A true and correct copy of the foregoing document entitled (*specify* TRUSTEE'S NOTICE OF SUBMISSION OF PROPOSED FORM OF ORDERS ON: (1) MOTION FOR ORDER AUTHORIZING THE REJECTION OF ALL CONTRACTS AND AGREEMENTS WITH CALIFORNIA ASPHALT PRODUCTION, INC., FORMERLY KNOWN AS SANTA MARIA REFINING CO. AND GREKA REFINING COMPANY, AND GTL1, LLC, NOT PREVIOUSLY INCLUDED IN PRIOR MOTION TO REJECT (DOCKET NO. 573); AND (2) MOTION FOR ORDER AUTHORIZING THE REJECTION OF OIL PURCHASE CONTRACTS (CONTRACT NO. COP-003 FOR BELRIDGE CRUDE OIL AND ALL AMENDMENTS AND CONTRACT NO. COP-004 FOR RICHFIELD HEAVY CRUDE OIL AND ALL AMENDMENTS) WITH CALIFORNIA ASPHALT PRODUCTION, INC., FORMERLY KNOWN AS SANTA MARIA REFINING CO. AND GREKA REFINING COMPANY (DOCKET NO. 586) will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) December 9, 2019 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page.

2. SERVED BY UNITED STATES MAIL:

On (date) December 9, 2019, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page.

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) December 9, 2019, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

PERSONAL DELIVERY – BY ERIC P. ISRAEL ON 12/10/19

The Honorable Martin R. Barash
U.S. Bankruptcy Court
Bin on 1st Floor outside entry to Intake Section
21041 Burbank Blvd.
Woodland Hills, CA 91367

Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

December 9, 2019

Date

Gloria Ramos

Printed Name

/S/ GLORIA RAMOS

Signature

ADDITIONAL SERVICE INFORMATION (if needed):

1. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")

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2. SERVED BY U.S. MAIL

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c/o Capitol Corporation Services, Inc.
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Brighton, CO 80601

Debtor
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630 Fifth Avenue, Suite 2410
New York, NY 10111